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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,100	03/25/2004	Tetsuya Ooshima	83388.0018	6656
26/021 7590 03/04/2009 HOGAN & HARTSON LLP. 1999 AVENUE OF THE STARS SUITE 1400 LOS ANGELES, CA 90067				
EXAMINER				
CHOW, YUK				
ART UNIT		PAPER NUMBER		
2629				
MAIL DATE		DELIVERY MODE		
03/04/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/809,100

Applicant(s)

OOSHIMA ET AL.

Examiner

YUK CHOW

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6-15, 17-20 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-15, 17-20 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11, 13-15, 17 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuno et al. (US Patent 5,467,102).

As to **claim 11**, Kuno teaches a portable information processing apparatus comprising:

two display devices (Fig. 1(A, B));

two frames (Fig. 1(1, 2)) which mount thereon said two display devices respectively; and

hinges (Fig. 1(3)) for coupling said frames with each other; wherein: said two display devices own a first display surface (Fig. 15A(B)) for executing an image display operation of predetermined resolution, and a second display surface (Fig. 15A(A)) for executing a character display operation in higher resolution than that of said first display surface (Col. 10 line 56- Col. 11 line 5);

said two frames are pivotally supported by said hinges in an openable/closable manner (Fig. 2A, 2B); and when said two frames are closed, said first and second display surfaces are brought into such a condition that said first and second display surfaces are overlapped with each other and are folded into two displays while said

hinges are set to a fulcrum (Fig. 2A), whereas when said two frames are opened, said first and second display surfaces are brought into a two-page spreading condition, while said hinges are set to the fulcrum (Fig. 1), wherein

a web screen is displayed on said first display surface, and the electronic book is displayed on said second display surface (Col. 9 lines 4-50).

As to **claim 13**, Kuno discloses a portable information processing apparatus comprising:

a frame (Fig. 1(1)) on which a display device having a display surface (Fig.1(A)) is mounted;

a cover (Fig. 1(2)) for protecting the display surface of said display device; and

a hinge (Fig. 1(3)) for coupling said frame to said cover;

said frame and said cover are pivotally supported by said hinge in an openable/closable manner (Fig. 2A, 2B); and

when said cover protects said frame, said cover is rotated while said hinge is set to a fulcrum so as to cover said display surface within said frame; whereas when the display surface within said frame is visually confirmed, said cover is rotated while said hinge is set to the fulcrum so as to expose said display surface (Col. 3 line 53- Col. 4 line 11), wherein:

a length of said frame along the longitudinal direction is made longer than a length of said cover along the longitudinal direction (Fig. 1 and 2A).

As to **claim 14**, Kuno teaches a portable information processing apparatus as claimed in claim 13 wherein:

said portable information processing apparatus comprises: a receiver capable of receiving information which is displayed on said display surface in a wireless communication manner (see Col. 9 lines 4-22);

a holder for storing therein a pen (Fig. 3(10)) which is used to operate the information displayed on said display surface; and

a switch (Fig. 3(4-7)) used to operate the information displayed on said display surface.

As to **claim 15**, Kuno teaches a portable information processing apparatus as claimed in claim 13 wherein:

said portable information processing apparatus comprises a means capable of changing the image displayed on said display surface into either a longer-side-ways image (Fig. 10B) or a shorter-side-at-top image (Fig. 10A).

As to **claim 17**, Kuno discloses a portable information processing apparatus as claimed in claim 13 wherein:

a portion of said frame which is not covered by said cover under such a condition that said cover and said frame are closed owns an outside display (Fig. 2B).

As to **claim 22**, Kuno discloses an image displaying method in the portable information apparatus recited in claim 17, wherein:

information for indicating a content of an image which is displayed on said display surface is displayed on said outside display (Fig. 11).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6-10 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuno et al. (US Patent 5,467,102) in view of Nishiyama et al.(US 5,436,954).

As to claims **1-3 and 6**, Kuno discloses a portable information processing apparatus (Fig. 1) comprising:

two display devices (Fig. 1(A, B));

two frames (Fig.1(1,2)) which mount thereon said two display devices respectively; and

hinges (Fig. 1(3)) for coupling said frames with each other; wherein:

a rotation portion is laterally rotated along a longitudinal direction and provided at a lower portion of said hinges; (Col. 7 line 54- Col. 8 line 10)

in the case that each of said display devices performs monochrome display, each of said display devices owns a display surface for displaying an image whose pixel size is smaller than, or equal to 127 μ m (Col. 12 lines 10-41);

said two frames are pivotally supported by said hinges in an openable/closable manner (Fig. 2A, 2B); and

when said two frames are closed, two display portions are brought into such a condition that said two display portions are overlapped with each other and are folded into two displays while said hinges are set to a fulcrum (Fig. 2A), whereas when said two frames are opened, said two display portions are brought into a two-page spreading condition, while said hinges are set to the fulcrum (Fig. 1).

However, Kuno differs from the claimed invention in that hinges was not taught to necessarily own a cylinder-shaped rotation portions with a page turning function.

Nishiyama discloses a foldable telephone with foldable hinge element wherein teaches a cylinder-shaped rotation portions (see Fig. 1(3)) and rotary selector (Fig. 1(8)).

It would have been obvious to one ordinary skill in the art at the time of invention was made to incorporate a cylinder-shaped rotation portions with a page turning function of Nishiyama into a portable information processing apparatus of Kuno, because it further improves the usability, enables user to operate the portable device with one hand holding the displays, and reduce the number of buttons (see Nishiyama Col. 1 line 65-Col. 2 line 3)

As to **claim 7**, Kuno and Nishiyama disclose a portable information processing apparatus as claimed in claim 1 wherein: said rotation portions correspond to such shorter-side-at-top rotation portions which are laterally rotated along the longitudinal direction and at center lower portions of said hinges (Kuno Fig. 8A); and an image which is displayed on said display surface is changed by rotating said rotation portions (see Kuno Col. 7 line 54- Col. 8 line 10).

As to **claim 8**, Kuno and Nishiyama disclose a portable information processing apparatus as claimed in claim 1, or claim 6 wherein: a switch (see Kuno Fig. 1(5)) required so as to operate said portable information processing apparatus is owned at one edge portion of any one of said two frames (Kuno Col. 3 lines 26-41).

As to **claim 9**, Kuno and Nishiyama disclose a portable information processing apparatus as claimed in claim 8 wherein: under such a condition that said two display surfaces are overlapped with each other and are fold to two displays so as to be stored (Kuno Fig. 2A), said portable information processing apparatus has an outside display at such a position of the other frame on which said switch is not mounted, said position being overlapped with the frame on which said switch is mounted (Kuno Fig. 2B).

As to **claim 10**, Kuno and Nishiyama disclose a portable information processing apparatus as claimed in claim 1 wherein: said hinges own an indicator (Kuno Fig. 2B) for displaying a condition of a power supply; and said indicator can be visually recognized from an external area even under such a condition that said two display surfaces have been overlapped with each other (Fig. 2B) and have been fold to two displays so as to be stored (Kuno Col. 5 line 53- Col 6 line 8).

As to **claim 19**, Kuno and Nishiyama disclose an image displaying method in the portable information processing apparatus recited in claim 1, wherein: a page-turning-over operation (Nishiyama Fig. 8) of an electronic book is carried out by that said electronic book is displayed on said two display surfaces under two-page spreading condition, and said rotation portion is operated (see Col. 8 line 33 – Col. 9 line 28).

As to **claim 20**, Kuno and Nishiyama disclose an image displaying method in the portable information processing apparatus recited in claim 9, wherein: a page-turning-over operation (Nishiyama Fig. 8 and Col. 8 line 33 – Col. 9 line 28) of an electronic book is carried out by that said electronic book is displayed on said two display surfaces under two-page spreading condition, and said rotation portion is operated; and bibliographic information containing a page position of the electronic book which is displayed on said display surfaces is displayed on said outside display in correspondence with said page-turning-over operation (see Kuno Fig. 5, 6).

Claims 12 and 18 are rejected under 35 U. S. C. 103(a) as being unpatentable over Kuno et al. (US Patent 5,467,102) in view of Yamazaki et al. (US Patent 5,339,091).

As to claims 12 and 18, Kuno teaches a portable information processing apparatus as claimed in claims 11 and 13 respectively.

However, Kuno does not teach portion of the frame on which said display device having said first display surface is mounted owns a solar cell.

Yamazaki teaches a paperless portable book utilizes solar cell (Fig. 1(6)) as a power source.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate solar power as in Yamazaki's invention into Kuno's portable display device because solar cell extends the operation time and reduces the weight of the device as suggests by Yamazaki (Col. 1 line 52-Col. 2 line 9).

Response to Arguments

Applicant's arguments with respect to claims 1-3, 6-10 and 19-20 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments with respect to claims 11 and 13 have been fully considered but they are not persuasive.

Regarding claim 11, applicant argues that Kuno does not disclose or suggest "a web screen is displayed on first display from a memory...with electronic book display on second display". However, examiner respectfully disagrees, Kuno display device can be used as various types of display, a desk-top computer can be connected to display, and documents from memory such as e-book (see Col. 9 lines 4-50).

Regarding claim 13, applicant argues that Kuno does not teach "a length of said frame along the longitudinal direction is made longer than a length of said cover along the longitudinal direction". Examiner respectfully disagrees, the length of frame along longitudinal direction as shown in Fig. 1(top side of A + B), is longer than the cover along the longitudinal direction, the up-down direction of Fig. 2A.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YUK CHOW whose telephone number is (571)270-1544. The examiner can normally be reached on 8-6 M-TH E.T..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on 571 272-7674. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Y. C./

Examiner, Art Unit 2629

/Amare Mengistu/

Supervisory Patent Examiner, Art Unit 2629